

DETAILED ACTION

1. Claims 2-3, 5-7, 9 -15, 17-19, 21-30, 32-34 and 36-37 are presented for examination.
2. The text of those sections of Title 35, USC code not included in this action can be found in the prior Office Action.

Claim Rejections - 35 USC § 102

3. Claims 2-3, 5-7, 9-11, 13-15, 17-19, 21-23, 25-26, 28-30, 32-34 and 36-37 are rejected under 35 U.S.C. 102(e) as being anticipated by Alfvín et al. [U.S. Pat. No. 7231367].
4. As to claim 37, Alfvín teaches the invention as claimed including: a system comprising:
 - a plurality of mobile terminals [e.g., col. 3, lines 28-31], each of said mobile terminals having an application for generating and storing personal content in a memory, said personal content being selected from the group consisting of:
 - photographs, text, video, speech, calendar information, and location information [e.g., Abstract];
 - a mobile network communicating with the plurality of mobile terminals [e.g., Figs. 1a -1b];
 - a external communications network accessible through the mobile network [i.e., transmitting the images from the mobile network to the wired Internet where the service provider is located];
 - a media-diary server having a data repository [e.g., 200, Fig. 3], the media-diary server adapted to receive personal content from the mobile terminal and store the received personal

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content in the data repository [e.g., col. 1, line 62 – col. 2, line 10], the media-diary server also adapted to obtain other data from external databases through the external communications network [e.g., col.2, lines 29-40; Fig. 2; 210, Fig. 3; Note that at least some of billing invoice, order form, and index print must be obtained from external databases associated with the service provider];

an applications server adapted to receive requests involving the use of personal content and associate the request with a personalized service [e.g., 220, Fig. 3; col. 5, lines 25-41];

an information generation block adapted to analyze the personal content and generate information based on the personal content and further, the information generation block is adapted to combine the generated information based on personal content with the other data obtained from external databases [e.g., col. 5, lines 6-34; note that the order form together with the index print of Fig. 2 is a based on the personal content (thumbnail images) and externally supplied invoice/billing information]; and

a service provision block responsive to the information generation block to generate and/or provide the associated personalized service incorporating the information generated and combined in the information generation block [e.g., col. 4, lines 3-43].

5. As to claim 2, Alfvín discloses a system according to claim 1, the system further comprising:

a selection block for selecting data to be retrieved from the external databases, the selection being made at least partially on the basis of generated information based on the personal content [e.g., col. 4, lines 22-43: "... permits the customer to select image fulfillment services and products ..."];

a receiver for receiving the selected data; and

an association block adapted to associate the received data with the personal content stored in the data repository [Note that photographic prints, enlargements, photographs composited with background, borders and templates ... are all associated with the images stored in the data repository];

wherein the service provision block is arranged to utilize the received data for generating and/or providing the personalized service [e.g., col. 4, line 44 – col. 5, line 5].

6. As to claim 3, Alfvín discloses the system according to claim 1, the system further comprising a data retrieval block for retrieving at least one stored object and/or item of data from the remote data repository;

and a server including application software for performing an action as a result of which information is generated, the action being to utilize the retrieved object and/or said data [e.g., col. 5, lines 60-67].

7. As to claim 5, Alfvín discloses the system according to claim 1, the system further comprising a billing system for generating charging information on the basis of the personalized service performed [e.g., col. 5, lines 12-17].

8. As to claims 6-7, Alfvín discloses the system according to claim 3, the system further comprising a subscription management block for receiving a subscription request at a server and processing said request on said server;

and wherein the data retrieval block is responsive to said processing to allow access of the

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service provision block to an object and/or stored information in the remote data repository in order to enable provision of the service requested [e.g., col. 6, lines 22-38].

9. As to claim 9, Alfvín discloses the system according to claim 6, wherein an object and/or generated information based on personal content is identified in the request, and the object and/or generated information based on personal content defines the action to be performed by the server [e.g., Fig. 2; col. 4, lines 29-43].

10. As to claim 10, Alfvín discloses the system according to claim 2, wherein the personalized service includes a personal magazine in a paper and/or digital format and said received data comprising at least one item selected from the following data:

(i) calendar information, (ii) image/video information, or (iii) location information of the user; and

said selected data received from the external data storage includes information to be laid out in the personal magazine [e.g., note that the index print of Fig. 2 is in a form of personal magazine, wherein images stored in the central databases are selected/modified by the user (see col. 6, lines 1-9) and the product order forms (which are selected from other databases) are combined with the thumbnail images and sent out to customers periodically (see Abstract)].

11. As to claim 11, Alfvín discloses the system according to claim 10, wherein the selection block is arranged to use at least date information extracted from the personal content in order to select objects and/or extracted data from a time interval to be laid out in the personal magazine [e.g., col. 5, lines 60-67].

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12. As to claims 13-15, 17-19, 21-23, 25-26, 28-30, 32-34 and 36, since the features of these claims can also be found in claims 2-3, 6, 9-11 and 37, they are rejected for the same reasons set forth in the rejection of claims 2-3, 6, 9-11 and 37 above.

Claim Rejections - 35 USC § 103

13. Claims 12 and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Alfvín et al. (hereafter "Alfvín") [U.S. Pat. No. 7231367], as applied to claims 2-3, 5-7, 9-11, 13-15, 17-19, 21-23, 25-26, 28-30, 32-34 and 36-37 above, further in view of Wang et al. (hereafter "Wang") [U.S. Pat. No. 7299281].

14. As to claims 12 and 24, Alfvín does not specifically teach that said information generation block includes at least (i) optical character/text recognition or (ii) pattern recognition.

However, using OCR or pattern recognition techniques to analyze captured images is well known in the art. In particular, when the captured images contain textual information, OCR or pattern recognition techniques are typically used to extract the text for purpose of identifying the imaged content. For example, Wang teaches using OCR to extract textual information from images captured from a series of screens, which assists in automatic indexing of the captured events or other special treatment of the images [e.g., Wang: col. 6, lines 1-9; col. 8, lines 1-19].

It would have been obvious to one of ordinary skill in the art at the time the invention was made to apply the OCR or pattern recognition techniques in Alfvín's system for assisting in subsequent handling of the images such as encrypting the sensitive images or assisting in organizing each customer's index print because the techniques could advance the quality of

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Alfvin's customer service, thereby making Alfvin's system suitable for a wide variety of applications.

15. Claim 27 is rejected under 35 U.S.C. 103(a) as being unpatentable over Alfvin et al. (hereafter "Alfvin") [U.S. Pat. No. 7231367], as applied to claims 2-3, 5-7, 9-15, 17-19, 21-26, 28-30, 32-34 and 36-37 above, further in view of Official Notice.

16. As to claim 27, Alfvin does not specifically teach that the apparatus further comprises a daemon for activating the service provision block.

However, Official Notice is taken that using a daemon for internal applications acting as middleman between hardware and software is well known in the art.

It would have been obvious to one of ordinary skill in the art at the time the invention was made that to deploy a daemon in Alfvin's service provider for activating correct service block because it facilitates Alfvin's provisioning of various service functions in response to various user requests.

17. Applicant's arguments filed on 5/26/10 for claims 2-3, 5-7, 9-15, 17-19, 21-30, 32-34 and 36-37 have been fully considered but they are not deemed to be persuasive.

Specifically, Applicant argues that Alfvin does not teach the feature of "the media-diary server also adapted to obtain other data from external databases through the external communications network" (see, e.g., claims 25 and 37), and that the "media-diary server" should not be equate to Alfvin's "telecommunication service provider".

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18. Examiner respectfully disagrees with applicant's remarks:

With respect to obtaining data from external databases through an external communications network, the examiner cited col.2, lines 29-40; Fig. 2; 210, Fig. 3 of Alfvín as support, wherein Fig. 2 shows that there are two types of service charges: telephone company charges (90) and image management charge (100). The former is related to cellular phone services, while the latter is related to image capture device, image storage space, and hardcopy print [col. 6, lines 25- 38]. While it is possible that the final combined billing information may come out of the telecommunication service provider's local database (a new entity created by Alfvín to perform the aforementioned services), it is unbelievable that a cellular phone company who collects user's air-time information also runs image management services and relies on all the information coming out of a single database! Thus, by the look of the different nature of services in Alfvín's combined bill and order form [Fig. 2], it is clear that at least a portion of the information on Fig. 2 must come from an external database. For example, 90 of Fig. 2 is a list of telecommunication charges enumerated [col. 6, line 54]. This information must come from a telephone company, which obtains information associated with at least two external databases: the user's home registration (for providing user ID and billing) and the base stations recording location and time of use. Applicant is reminded that, being affiliated with a image processing company (Eastman Kodak), Alfvín only attempted to make use of the existing telephone company's service [e.g., 30-40, Fig. 1c]. Alfvín does not teach or suggest running a telephone company simply for the purpose of charging user's image transfer time over the air.

As to the arguments about the differences between a server and a service provider: Applicant is reminded that a service provider is just a name of a service environment, which

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typically also comprises a number of servers. In particular, Alfvin's telecommunication service provider is clearly different from a conventional telecommunication company because it focuses on performing personalized services similar to that of Applicant's specification at page 8, lines 1-12.

For at least the above reasons, it is submitted that the prior art of record reads on the claims. Applicant is reminded to further enhance the claim languages rather than arguing whether Alfvin's system uses information from internal or external databases because this is not the way to improve the patentability of the claimed invention.

19. THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

20. A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Conclusion

Examiner note: Examiner has cited particular columns and line numbers in the references as applied to the claims above for the convenience of the applicant. Although the specified citations are representative of the teachings of the art and are applied to the specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested from the applicant in preparing responses, to fully consider the references in entirety as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior art or disclosed by the Examiner.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Wen-Tai Lin whose telephone number is (571)272-3969. The examiner can normally be reached on Monday-Friday (8:00-5:00) .

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nathan Flynn can be reached on (571)272-1915. The fax phone numbers for the organization where this application or proceeding is assigned are as follows:

(571) 273-8300 for official communications; and

(571) 273-3969 for status inquiries draft communication.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Wen-Tai Lin

June 10, 2010

/Wen-Tai Lin/

Primary Examiner, Art Unit 2454